



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

September 28, 2016

**BY ECF**

The Honorable Paul A. Engelmayer  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Jonathan Rodriguez, et al.*, S6 15 Cr. 445 (PAE)**

Dear Judge Engelmayer:

The Government respectfully writes to inform the Court that earlier today, a grand jury sitting in this District returned a superseding indictment (the "S6 Indictment") in this case. The S6 Indictment makes three modifications to the previously operative version of the indictment (the "S4 Indictment"). The modifications do not result in any new discovery for any of the defendants. Earlier this week, the Government contacted defense counsel for each of the four defendants expected to proceed to trial on October 31, 2016 and notified counsel of the Government's intention to seek the return of the S6 Indictment and the nature of the modifications. The modifications are as follows:

1. In Count One, acts involving robbery have been added as a type of predicate racketeering activity.
2. Defendant Miguel Romero, who was previously charged in Count One (racketeering conspiracy) and Count Thirteen (use of firearms), has been added as a defendant in Count Ten (narcotics conspiracy).
3. The firearms charge in Count Thirteen, which was previously tied only to the racketeering conspiracy charged in Count One, is now also tied to the narcotics conspiracy charged in Count Ten.

cc: All Counsel (by ECF)